

Agreement between the Government of the United States of  
America and the Government of Solomon Islands  
Regarding the surrender of Persons to the  
International Criminal Court

The Government of the United States of America and the  
Government of Solomon Islands, hereinafter "the Parties,"

Reaffirming the importance of bringing to justice those who  
commit genocide, crimes against humanity and war crimes,

Recalling that the Rome Statute of the International  
Criminal Court done at Rome on July 17, 1998 by the United  
Nations Diplomatic Conference of Plenipotentiaries on the  
Establishment of an International Criminal Court is  
intended to complement and not supplant national criminal  
jurisdiction,

Considering that the Parties have each expressed their  
intention to investigate and to prosecute where appropriate  
acts within the jurisdiction of the International Criminal  
Court alleged to have been committed by their officials,  
employees, military personnel or other nationals,

Bearing in mind Article 98 of the Rome Statute,

Hereby agree as follows:

1. For the purposes of this Agreement, "U.S. person"  
includes all U.S. nationals, as well as current and former  
non-U.S. national U.S. military personnel with respect to  
acts or omissions allegedly committed or occurring while  
they are or were U.S. military personnel.

2. U.S. persons present in the territory of Solomon Islands  
shall not, absent the express consent of the Government of  
the United States of America,

(a) be surrendered or transferred by any means to the  
International Criminal Court for any purpose, or

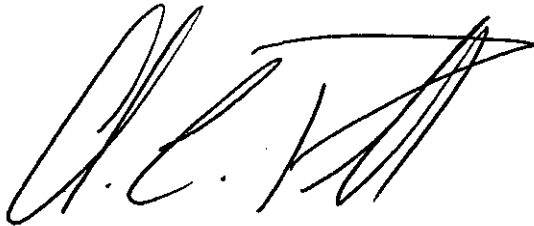
(b) be surrendered or transferred by any means to any  
other entity or third country, or expelled to a third  
country, for the purpose of surrender to or transfer to  
the International Criminal Court.

3. When the Government of Solomon Islands extradites, surrenders, or otherwise transfers a U.S. person to a third country, the Government of Solomon Islands will not agree to the surrender or transfer of that person to the International Criminal Court by a third country, absent the express consent of the Government of the United States of America.

4. This Agreement shall enter into force upon an exchange of notes confirming that each Party has completed the necessary domestic legal requirements to bring the Agreement into force. It will remain in force until one year after the date on which one Party notifies the other of its intent to terminate this Agreement. The provisions of this Agreement shall continue to apply with respect to any act occurring, or any allegation arising, before the effective date of termination.

DONE at Washington, DC, this 19th day of September, 2003, in duplicate, in the English language.

FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA:

A stylized, handwritten signature in black ink, likely belonging to a U.S. official, positioned below the text for the United States of America.

FOR THE GOVERNMENT OF  
SOLOMON ISLANDS:

A handwritten signature in black ink, likely belonging to a Solomon Islands official, positioned below the text for the Government of Solomon Islands.